

Roll No.	
SAP ID	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
Online End Semester Examination, Dec 2020

Course: Law of Torts and Consumer Protection Laws **Course Code: CLCC 1006**
Programme: B. Tech. LL.B. (CSE) (IPR/CL) **Semester: III**
Time: 03 hrs. **Max. Marks: 100**

SECTION-A

- 1. Each Question carries 5 Marks**
- 2. Attempt all the questions**

S. No.	Questions	Marks	CO
1	Explain the principle of Volenti non fit injuria.	5	CO1
2	Define battery with help of illustration.	5	CO1
3	'Damnum Sine Injuria' Explain the legal maxim with the help of illustration.	5	CO2
4	Explain the maxim 'Ubi jus Ibi remedium'	5	CO1
5	Explain the term 'Act of God' under law of Torts.	5	CO1
6	Explain the concept of Joint Tort Feasers.	5	CO1

SECTION-B

- 1. Each Question carries 10 Marks**
- 2. Attempt all the questions**

S. No.	Questions	Marks	CO
7	<p>“In cases of Malicious Prosecution neither mere suspicion is enough nor has the prosecutor to show that he Believed in the probability of the conviction. The prosecutor has to show that he acted as a reasonable prudent man in believing the story on which he acts.”</p> <p>Comment with case law.</p>	10	CO3

8	A passenger was unable to produce a valid ticket on being asked by Ticket Collector. On this Ticket Collector said “I suspect you are travelling without ticket”. Subsequently the passenger was able to find the ticket which was found to be in order by Ticket Collector. Passenger filled a suit against the said ticket collector. Decide with help of case laws.	10	CO4
9	“Negligence is the omission to do something which a reasonable man, guided upon those considerations which ordinarily regulate the conduct of human affairs, would do, or doing something which a prudent and reasonable man would not do”. With help of above given statement, explain the concept of Duty of Care in cases of negligence using case laws.	10	CO3
10	A horse, who was left unattended on a crowded street by its owner. A child throws stone at the horse which causes the horse to run violently causing risk of grave injury to people. A spectator rushes to stop it, and is in the process gets injured. He filled a suit to recover damages from the owner. Owner pleaded that the harm caused was not reasonably foreseeable and hence remote. Decide with help of case laws.	10	CO4
11	As a part of grow more food campaign, a dam was constructed for irrigation across a river. Provision was made for release of excess water through sluice (sliding gate). Due to exceptionally heavy rainfall sluice proved inadequate and extra opening was made resulting in flooding the agricultural land of X. X suffered a severe loss of agricultural production. Can X recover damages from State on the basis of vicarious liability? Decide with help of case laws.	10	CO4
SECCTION-C			
<p>1. Each Question carries 20 Marks</p> <p>2. Attempt all the questions</p>			
S. No.	Questions	Marks	CO
12	The plaintiff was employed by a railway company to drill holes in a rock, near a crane, operated by men employed by the railway company. The crane lifted stones and at times swung them over the plaintiff’s head without warning. The plaintiff was fully	20	CO4

	<p>aware of the danger he was exposed to by working near the crane. One time, a stone fell off the crane and injured the plaintiff. He sued his employers for negligence. The Trial court ruled in favour of the plaintiff. The defendants appealed to High Court which reversed the decision of the Trial court and held defence of Volenti Non Fit Injuria applicable. The plaintiff now has appealed to the Supreme Court.</p> <p>Decide the case while discussing the application of Volenti Non Fit Injuria.</p>		
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